

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**



Appl. No. : 10/004,511  
Applicant : Shannon Morris  
Filed : October 22, 2001  
TC/A.U. : 3728  
Examiner : Luan Kim Bui  
  
Docket No. : OSSV-083441  
Customer No. : 30764

**APPELLANT'S BRIEF**

Mail Stop Appeal Brief – Patents  
Commissioner for Patents  
P.O. Box 1450  
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**(1) REAL PARTY IN INTEREST**

The real party in interest in this application is the inventor, Shannon Morris.

**(2) RELATED APPEALS AND INTERFERENCES**

This application is a continuation of application serial No. 08/766,862, now U.S. Patent No. 6,334,530, which was the subject of an appeal to the Board, resulting in a Decision on Appeal mailed September 29, 2000. A copy of the Decision on Appeal is attached hereto as Exhibit A.

There are no other appeals or interferences known to Appellant or Appellant's legal representative that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal.

**(3) STATUS OF CLAIMS**

Claims 1-15 are pending in the application, as set forth in the Appendix hereto. Claims 1-7 and 12-15 are allowed. Claims 8-11 have been finally rejected. Appellant has appealed the rejection of claims 8-11.

**(4) STATUS OF AMENDMENTS**

There are no pending amendments that have not been entered by the Examiner. Claims 8-11 stand as they were finally rejected by the Examiner.

**(5) SUMMARY OF INVENTION**

The present invention, as defined by appealed claims 8-11, provides a jewelry organizer for holding jewelry such as rings, earrings, drop earrings, watches, bracelets, necklaces, and other strands of jewelry. It comprises a body having an upper surface and a lower surface and a knob protruding upwardly from the body and extending above the upper surface. The knob has a diameter and height capable of receiving at least one finger ring over the knob, and there is at least one compartment formed in the upper surface of the body for receiving jewelry. The compartment is defined as an elongated channel sized to receive a piece of jewelry.

In a further aspect of the invention, the jewelry organizer may include an outer rim around the periphery of the body with a surface to allow space for jewelry to be displayed thereon. The outer rim may include a lip which is sized to receive a hook of a drop earring thereon.

In addition, the jewelry may further include a recess formed in the lower surface to enable a stackable configuration with a second jewelry organizer having a

knob and at least one compartment. The jewelry organizer may be stacked such that space is maintained between the stacked jewelry organizers to allow jewelry to be placed in the compartment of the second jewelry organizer.

(6) **ISSUE**

(A) Whether claims 8-11 are unpatentable under 35 U.S.C. § 102 as allegedly anticipated by U.S. Patent No. 5,040,681 to Grusin?

(B) Whether claims 8-11 are unpatentable under 35 U.S.C. § 102 as allegedly anticipated by or obvious over U.S. Patent No. 2,036,572 to Frost?

(7) **GROUPING OF CLAIMS**

With regard to both issues (A) and (B), claims 8-11 stand or fall together.

(8) **ARGUMENT**

(A) **Claims 8-11 Are Not Anticipated by Grusin**

The Examiner has finally rejected claims 8-11 as allegedly anticipated by U.S. Patent No. 5,040,681 to Grusin, asserting that "[t]he knob of Grusin is inherently capable of receiving at least one finger ring over the knob (FIGS. 1-5)." (Office Action mailed 9/2/03, page 2.)

It is fundamental that a claim is anticipated only when the same device, having all of the elements and limitations contained in the claims, is described in a single prior art reference. ATD Corp. v. Lydall, Inc., 159 F.3d 534 (Fed. Cir. 1998) (citing Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236 (Fed. Cir. 1989)). An anticipating reference must describe the patented subject matter with sufficient clarity and detail to establish that the subject matter existed and that its existence was recognized by persons of ordinary skill in the field of the invention. Id. (citations omitted).

A reference that does not expressly disclose one or more claimed features can be anticipatory only if the features are inherent in the reference. Continental Can Co.

v. Monsanto Co., 948 F.2d 1264, 1269 (Fed. Cir. 1991). However, evidence of inherency "must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill." Id. at 1268 (emphasis added).

An invention is not inherent simply because the obtained result possibly could occur. Rather, an inherent invention is embodied in a single prior art that dictates the result. See Hansgirk v. Kemmer, 102 F.2d 212, 214 (C.C.P.A. 1939) ("Inherency, however may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient."); Continental Can, 948 F.2d at 1269; In re Oelrich, 666 F.2d 578, 581 (C.C.P.A. 1981). "Inherency does not mean that a thing might be done, or that it might happen, ... but it must be disclosed, if inherency is claimed, that the thing will necessarily happen." In re Draeger, 150 F.2d 572, 574 (C.C.P.A. 1945) (citations omitted, emphasis added); see also Giambalvo v. Detrick, 168 F.2d 116, 120 (C.C.P.A. 1948).

It is indisputable that knob 30 formed on cover 18 of Grusin's desk organizer is not inherently capable of receiving a ring finger because it is not necessarily sized to receive a finger ring. As carefully explained to the Examiner, this is a matter of simple geometry. To put it in visual terms, Applicant attaches as Exhibit B copies of the drawing pages from Grusin that contain FIGS. 2 and 5. In Exhibit B, Applicant has drawn a hypothetical ring received over knob 30. Clearly the ring is far too oversized to be a finger ring.

Even more, Grusin teaches away from sizing his knob 30 to receive a finger ring because "the knob 30 is provided with an aperture 54 positioned immediately above the aperture 52 of the third post member 46. ... [and] ... aperture ... 54 is so dimensioned as to conveniently permit the insertion of a finger through the center of the knob 30 ..." (Col. 3, lines 44-55.) Grusin goes on to describe that "aperture ... 54 defines a ... lip ... 62 which can be grasped by the user's finger tip ..." (Id., lines 55-58.) Therefore, as

shown in FIG. 5, for the knob 30 to have an aperture 54 large enough to receive the person's finger and enough surrounding material to form a lip 62 for the person's finger to grasp, the outside dimensions of the knob necessarily are much larger than a person's finger.

The Examiner's comment that "the ring is not positively claim [sic] with the organizer" (Office Action, page 4) is misplaced. Applicant's invention is not the combination of a jewelry organizer and a finger ring; it is a jewelry organizer sized and configured for finger rings and other types of jewelry. The reference to a finger ring is a size reference. Finger rings come in various sizes. Yet, any person of ordinary skill in the design of jewelry organizers will readily understand the size ranges of finger rings without making the rings a positive limitation of the claims.

The Examiner's concern is readily answered by the case of Orthokinetics, Inc. v. Safety Travel Chairs, 806 F.2d 1565 (Fed. Cir. 1986). In that case, claim 1 defined a pediatric wheelchair and contained the limitation "wherein said front leg portion is so dimensioned as to be insertable through the space between the doorframe of an automobile and one of the seats thereof." Id. at 1575. Clearly the automobile was not positively claimed with the wheelchair. The Federal Circuit held as follows:

The claims were intended to cover the use of the invention with various types of automobiles. That a particular chair on which the claims read may fit within some automobiles and not others is of no moment. The phrase "so dimensioned" is as accurate as the subject matter permits, automobiles being of various sizes. As long as those of ordinary skill in the art realized that the dimensions could be easily obtained, § 112, 2d ¶ requires nothing more. The patent law does not require that all possible lengths corresponding to the spaces in hundreds of different automobiles be listed in the patent, let alone that they be listed in the claims.

Id. at 1576. The same is true here. Applicant is allowed to refer in the claim to other objects with which the invention is designed to be used, and need not be specific about

the dimensions of the other objects so long as "those of ordinary skill in the art realized that the dimensions could be easily obtained".

Accordingly, there is no basis for rejecting claims 8-11 as allegedly anticipated by Grusin.

**(B) Claims 8-11 Are Not Anticipated By Or Obvious Over Frost**

The Examiner similarly has finally rejected claims 8-11 as allegedly anticipated by or obvious over Frost, likewise asserting that "[t]he knob of Frost is inherently capable of receiving at least one finger ring over the knob ..." (Office Action, page 3.) The Examiner also has asserted that "Frost discloses ... a knob (4) protruding upwardly from the body and extending above the upper surface of the body ..." Id.

As with Grusin, there is no basis whatsoever for the Examiner's assertion that so-called "knob" 4 of Frost is inherently capable of receiving a ring finger. What the Examiner refers to as a knob in Frost is actually "a small round central embossing". (Col. 3, lines 1-2.) The only purpose of this central embossing is to support a pie crust. Since there is no suggestion in Frost of using central embossing 4 to hold a finger ring, there is no basis for asserting that the embossing necessarily is sized to receive a finger ring.

Applicant also is at a loss to understand the Examiner's characterization of the central embossing 4 of Frost as "protruding upwardly from the body and extending above the upper surface of the body ." A copy of the face page of Frost showing an enlargement of FIG. 2 is attached as Exhibit C. On Exhibit C, Applicant has indicated her understanding of the only way in which the Examiner could interpret Frost in relation to Applicant's claims. As can be seen, the "upper surface" of the body would correspond to the upper surfaces of raised embossings 5, 8 and 12 that surround the so-called "knob," central embossing 4. This must be the upper surface that the Examiner is referring to in Frost because claims 8-11 also require "at least one compartment formed in the upper surface". The "upper surface" cannot be the bottom surface of the unembossed annular

portions 10, 11, 14 or 15 or the lateral spaces 7 because they do not have any compartments formed in them; indeed, according to the Examiner, unembossed annular portions 10, 11, 14 and 15 are the compartments.

It is indisputable that the central embossing 4 is exactly the same height as the other embossings 5, 8 and 12. Therefore, Frost also does not satisfy the claim requirement of "a knob protruding upwardly from the body and extending above the upper surface." Moreover, it would be odds with the purposes of Frost's pie plate to make the central embossing 4 higher than the other embossings 5, 8 and 12, since this would render the pie plate dysfunctional.

Accordingly, there is no basis for rejecting claims 8-11 as allegedly anticipated by or obvious over Frost.

**(C) Conclusion**

In view of the arguments above, Appellant respectfully submits that claim 8-11 meet the requirements of patentability of 35 U.S.C. §§ 102 and 103, and patentably distinct over the references cited by the Examiner. A decision reversing the final rejection of claims 8-11 and directing the Examiner to issue a Notice of Allowance is respectfully requested.

Dated: January 5, 2004

Respectfully Submitted,

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## APPENDIX

1. A jewelry organizer for holding jewelry such as rings, earrings, drop earrings, watches, bracelets, necklaces, and other strands of jewelry, comprising:
  - a body having an upper surface and a lower surface;
  - a knob protruding upwardly from the body and extending above the upper surface;
  - at least two separate compartments formed in the upper surface of the body for receiving jewelry, each compartment defined as an elongated channel; and
  - a recess in the lower surface of the body wherein the recess and the knob provide a means for a stackable configuration.
2. The jewelry organizer of claim 1, wherein the body of the jewelry organizer is substantially planar.
3. The jewelry organizer of claim 1, wherein the knob has a frustoconical shape and has a diameter and height capable of holding at least one finger ring.
4. The jewelry organizer of claim 1, and further including an upstanding side wall separating the compartments.
5. The jewelry organizer of claim 1, wherein each of the compartments is defined as an endless channel.
6. The jewelry organizer of claim 5, wherein each of the channels surrounds the knob on the upper surface of the body.
7. The jewelry organizer of claim 1, further including an outer rim around the periphery of the body, the outer rim having a surface to allow space for jewelry to be displayed thereon.

8. A jewelry organizer for holding jewelry such as rings, earrings, drop earrings, watches, bracelets, necklaces, and other strands of jewelry, comprising:  
a body having an upper surface and a lower surface;  
a knob protruding upwardly from the body and extending above the upper surface, the knob having a diameter and height capable of receiving at least one finger ring over the knob; and  
at least one compartment formed in the upper surface of the body for receiving jewelry and defined as an elongated channel sized to receive a piece of jewelry.

9. The jewelry organizer of claim 8, further including an outer rim around the periphery of the body, the outer rim having a surface to allow space for jewelry to be displayed thereon.

10. The jewelry organizer of claim 9, wherein the outer rim includes a lip which is sized to receive a hook of a drop earring thereon.

11. The jewelry organizer of claim 8, and further including a recess formed in the lower surface to enable a stackable configuration with a second jewelry organizer having a knob and at least one compartment, such that space is maintained between the stacked jewelry organizers to allow jewelry to be placed in the at least one compartment of the second jewelry organizer.

12. A jewelry organizer for holding jewelry such as rings, earrings, drop earrings, watches, bracelets, necklaces, and other strands of jewelry, comprising:  
a first body having  
an upper surface and a lower surface,  
a knob protruding upwardly from the body and extending above the upper surface, and

at least two compartments formed in the upper surface of the body for receiving jewelry, each compartment defined as an endless, elongated channel formed in a pattern surrounding the knob; and

a second body having

an upper surface and a lower surface,

at least two compartments formed in the upper surface of the body for receiving jewelry, each compartment defined as an endless, elongated channel formed in a pattern surrounding the knob, and

a recess in the lower surface of the body sized to receive the knob of the first body therein, wherein the second body is stackable on the first body by positioning the recess of the second body onto the knob of the first body.

13. The jewelry organizer of claim 12, wherein the lower surface of the first body further includes a recess, and the upper surface of the second body further includes an upwardly protruding knob capable of adding further stackable configurations.

14. The jewelry organizer of claim 12, wherein each body further includes an outer rim around the periphery of the body, the outer rim having a surface to allow space for jewelry to be displayed thereon.

15. The jewelry organizer of claim 14, where each outer rim includes a lip sized to receive a hook of a drop earring.

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 15

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte SHANNON S. MORRIS

Appeal No. 2000-0293  
Application No. 08/766,862

ON BRIEF

MAILED

SEP 29 2000

U.S. PAT. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Before FRANKFORT, GONZALES, and CRAWFORD, Administrative Patent Judges.  
CRAWFORD, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the examiner's final rejection of claims 1 through 17, which are all of the claims pending in this application.

The appellant's invention relates to a jewelry organizer. An understanding of the invention can be derived from a reading of exemplary claim 1, which appears in the appendix to the appellant's brief.

The prior art

The prior art references of record relied upon by the examiner in rejecting the appealed claims are:

Martire Jr.	2,878,932	Mar. 24, 1959
Coon	4,632,351	Dec. 30, 1986
Gatt	4,944,398	Jul. 31, 1990
Grusin	5,040,681	Aug. 20, 1991

The rejections

Claims 1 through 17 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which appellant regards as the invention.

Claims 1, 2, 4 through 8, and 12 through 17 stand rejected under 35 U.S.C. § 103 as being unpatentable over Martire in view of Gatt and Grusin.

Claims 3 and 9 through 11 stand rejected under 35 U.S.C. § 103 as being unpatentable over Martire, Gatt and Grusin as applied to claims 2 and 8 above, and further in view of Coon.

Rather than reiterate the conflicting viewpoints advanced by the examiner and the appellant regarding the above-noted rejections, we make reference to the examiner's answer (Paper No. 12, mailed June 2, 1999) for the examiner's complete reasoning in support of the rejections, and to the appellant's brief (Paper No. 11, filed March 10, 1999) and reply brief

(Paper No. 13, filed August 4, 1999) for the appellant's arguments thereagainst.

OPINION

In reaching our decision in this appeal, we have given careful consideration to the appellant's specification and claims, to the applied prior art references, and to the respective positions articulated by the appellant and the examiner. As a consequence of our review, we make the determinations which follow.

The examiner has rejected claims 1 through 17 under 35 U.S.C. § 112, second paragraph. The second paragraph of 35 U.S.C. § 112 requires claims to set out and circumscribe a particular area with a reasonable degree of precision and particularity. In re Johnson, 558 F.2d 1008, 1015, 194 USPQ 187, 193 (CCPA 1977). In making this determination, the definiteness of the language employed in the claims must be analyzed, not in a vacuum, but always in light of the teachings of the prior art and of the particular application disclosure as it would be interpreted by one possessing the ordinary level of skill in the pertinent art. Id.

The examiner's focus during examination of claims for compliance with the requirement for definiteness of 35 U.S.C.

§ 112, second paragraph, is whether the claims meet the threshold requirements of clarity and precision, not whether more suitable language or modes of expression are available. Some latitude in the manner of expression and the aptness of terms is permitted even though the claim language is not as precise as the examiner might desire. If the scope of the invention sought to be patented cannot be determined from the language of the claims with a reasonable degree of certainty, a rejection of the claims under 35 U.S.C. § 112, second paragraph, is appropriate.

As noted by the Court in In re Swinehart, 439 F.2d 210, 212-13, 160 USPQ 226, 229 (CCPA 1971), a claim may not be rejected solely because of the type of language used to define the subject matter for which patent protection is sought.

With this as background, we analyze the specific rejections under 35 U.S.C. § 112, second paragraph, made by the examiner of the claims on appeal. The examiner states that:

Regarding claims 1, 8 and 14, the phrase "such as" renders the claims indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. . . . In claim 2, the phrase "plate-like" is indefinite because it is not clear as to what structure is encompassed or excluded by such term "like". [examiner's answer at page 4].

The specification teaches that the jewelry organizer of the invention has an upper surface 12 for storing and displaying

several types of jewelry (Specification at page 1). The specification indicates that the jewelry that is stored in the organizer may be necklaces, earrings, watches, bracelets and rings (Specification at page 3). We agree with the appellant that a person of ordinary skill in the art would have understood the term "such as" in claims 1, 8 and 14 to indicate examples of the types of jewelry that can be stored in the organizer. As such, in our view, the scope of claims 1, 8, and 14 can be determined with a reasonable degree of certainty.

Therefore, we will not sustain the examiner's rejection of claims 1, and 4 through 17 as being indefinite under 35 U.S.C. § 112, second paragraph.

In regard to the language "plate-like structure" in claim 2, we are of the opinion that the scope of the claimed subject matter cannot be determined from this language with a reasonable degree of certainty. Specifically, it is not clear whether this language refers to dinner plate structure, flat rectangular plate structure, picnic plate structure which includes compartments or some other plate structure. As such, we agree with the examiner that the language of claim 2 does not satisfy the requirements of 35 U.S.C. § 112, second paragraph.



Therefore, we will sustain the examiner's rejection under 35 U.S.C. § 112, second paragraph, of claim 2 and claim 3 dependent thereon.

We turn next to the examiner's rejection of claims 1, 2, 4 through 8 and 12 through 17 as being unpatentable under 35 U.S.C. § 103 over Martire in view of Gatt and Grusin. The examiner has relied on Martire for teaching the invention substantially as claimed except that Martire does not disclose a knob protruding upward from the upper surface. The examiner relies on Gatt and Grusin for teaching a knob protruding upward from the upper surface. The examiner concludes:

It would have been obvious to one having ordinary skill in the art in view of Gatt and Grusin to modify the organizer of Martire '932 so the knob is protruded upwardly from the upper surface with a recess formed in the lower surface of the body to facilitate stacking, and better securing the trays within the stack during shipping or storage.  
[examiner's answer at page 6]

Appellant argues that the Martire tray already has means for stacking the trays in that Martire discloses a substantially planar surface 4 with an upturned peripheral edge portion 6 that permits the trays to be stacked on top of one another. As such, appellant argues that it would have been pointless to consider adding a knob in the upper surface of the Martire tray for purposes of stacking.

We agree with the appellant that there would be no motivation to include a knob in the upper surface of the Martire tray as taught by Gatt and Grusin to facilitate stacking because the Martire tray is already stackable (See Col. 3, lines 58 to 61). In addition, we note that Martire teaches that one of the advantages of the tray therein disclosed is its flexibility to be used as a standard tray and not be rigidly limited to the relative positions of the food receptacles on the tray (Col. 2, lines 11 to 14). As such, in our view, a person of ordinary skill in the art would not be motivated to modify the Martire tray so as to have a knob in its upper surface, because such modification would reduce the ability of the tray to be used as a standard tray and limit the positions in which the food receptacles could be placed on the tray.

Therefore, we will not sustain the examiner's rejection of claims 1, 2, 4 through 8 and 12 through 17 under 35 U.S.C. § 103 as being unpatentable over the teachings of Martire, Gatt and Grusin.

We turn now to the examiner's rejection of claims 3 and 9 through 11 under 35 U.S.C. § 103 as being unpatentable over Martire, Gatt and Grusin and further in view of Coon. We have examined the disclosure of Coon and find that Coon does not cure

the deficiencies discussed above for the combination of Martire, Gatt and Grusin. Therefore, we will not sustain this rejection.

New ground of rejection

Under the authority of 37 CFR § 1.196(b), this panel of the board introduces the following new ground of rejection.

Claims 1 and 8 are rejected under 35 U.S.C. § 102(b) as being anticipated by Grusin. Grusin discloses a body 18 having an upper surface and a lower surface. A knob 30 protrudes upwardly from the upper surface. At least one compartment 34 defined by an elongated channel surrounding the knob is formed in the upper surface. A substantially flat outer rim (upper surface 32 and/or rib 38,40) surrounds the periphery of compartment 34. A recess is formed in the lower surface of body 18 wherein the recess and knob provide means for stackable configuration (See Col. 3, lines 26-29).

Remand to the Examiner

This application is remanded to the Primary Examiner for consideration of the patentability of claims 2 through 7 and 9 through 17 in view of the teachings of Grusin alone or in combination with other relevant prior art references.

In summary:

(1) The examiner's rejection of claims 1 and 4 through 17 under 35 U.S.C. § 112, second paragraph, is not sustained.

(2) The examiner's rejection of claims 2 and 3 under 35 U.S.C. § 112, second paragraph, is sustained.

(3) The examiner's rejection of claims 1, 2, 4 through 8, and 12 through 17 under 35 U.S.C. § 103 as being unpatentable over Martire in view of Gatt and Grusin is not sustained.

(4) The examiner's rejection of claims 3 and 9 through 11 under 35 U.S.C. § 103 as being unpatentable over Martire, Gatt and Grusin and further in view of Coon is not sustained.

(5) Claims 1 and 8 are rejected pursuant to our authority under 37 CFR § 1.196(b).

(6) The application is remanded to the examiner.

In addition to affirming the examiner's rejection of one or more claims, this decision contains a new ground of rejection pursuant to 37 CFR § 1.196(b) and a remand pursuant to 37 CFR § 1.196(e).

37 CFR § 1.196(b) provides that, "[a] new ground of rejection shall not be considered final for purposes of judicial review."

37 CFR § 1.196(e) provides that:

[w]henver a decision of the Board of Patent Appeals and Interferences includes or allows a remand, the decision shall not be considered a final decision. When appropriate, upon conclusion of proceedings on remand before the examiner, the Board of Patent Appeals and Interferences may enter an order otherwise making its decision final.

Regarding any affirmed rejection, 37 CFR § 1.197(b) provides:

(b) Appellant may file a single request for rehearing within two months from the date of the original decision. . . .

37 CFR § 1.196(b) also provides that the appellant, WITHIN TWO MONTHS FROM THE DATE OF THE DECISION, must exercise one of the following two options with respect to the new ground of rejection to avoid termination of proceedings (§ 1.197(c)) as to the rejected claims:

(1) Submit an appropriate amendment of the claims so rejected or a showing of facts relating to the claims so rejected, or both, and have the matter reconsidered by the examiner, in which event the application will be remanded to the examiner. . . .

(2) Request that the application be reheard under § 1.197(b) by the Board of Patent Appeals and Interferences upon the same record. . . .

The effective date of the affirmance is deferred until conclusion of the proceedings before the examiner unless, as a mere incident to the limited proceedings, the affirmed rejection is overcome. If the proceedings before the examiner do not

No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a).

CHARLES E. FRANKFORT  
Administrative Patent Judge

JOHN F. GONZALES  
Administrative Patent Judge

MURRIEL E. CRAWFORD  
Administrative Patent Judge

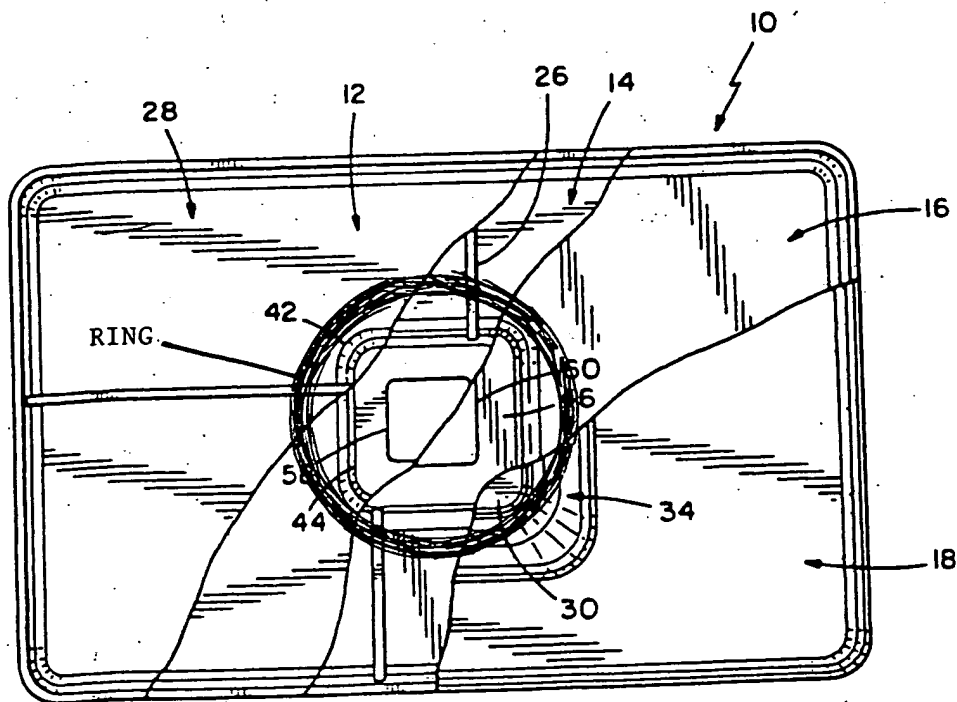
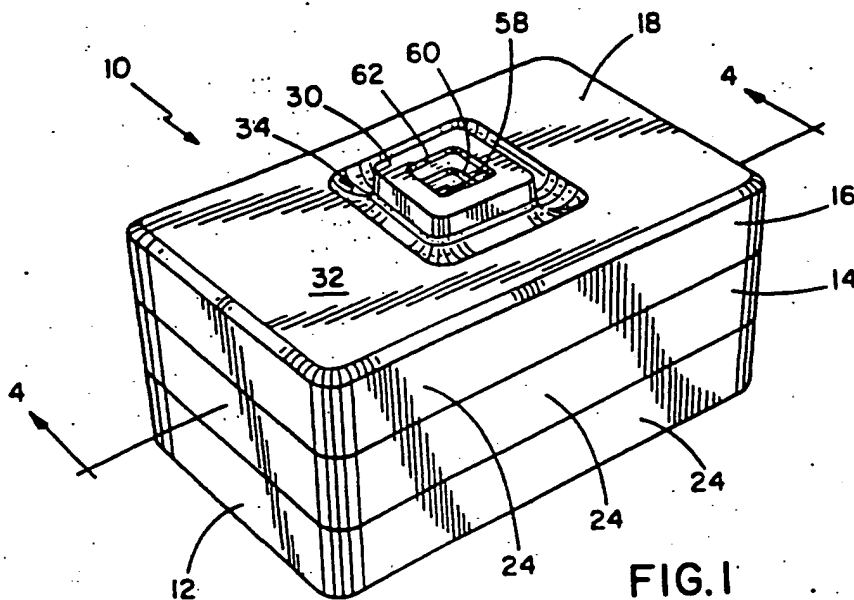
BOARD OF PATENT  
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Exhibit A  
-22-

Appeal No. 2000-0293  
Application No. 08/766,862

Page 12

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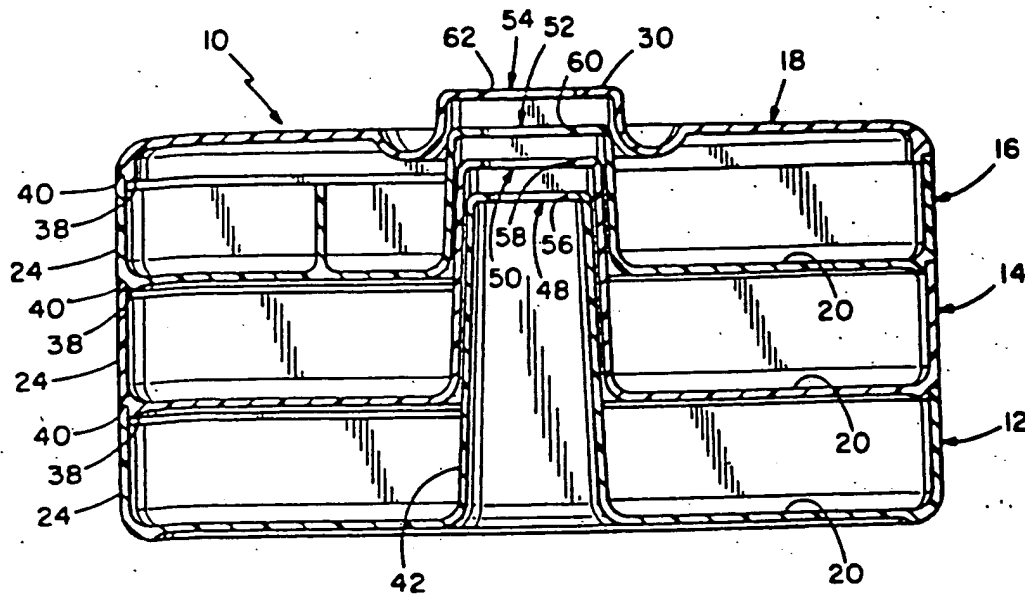


FIG. 4

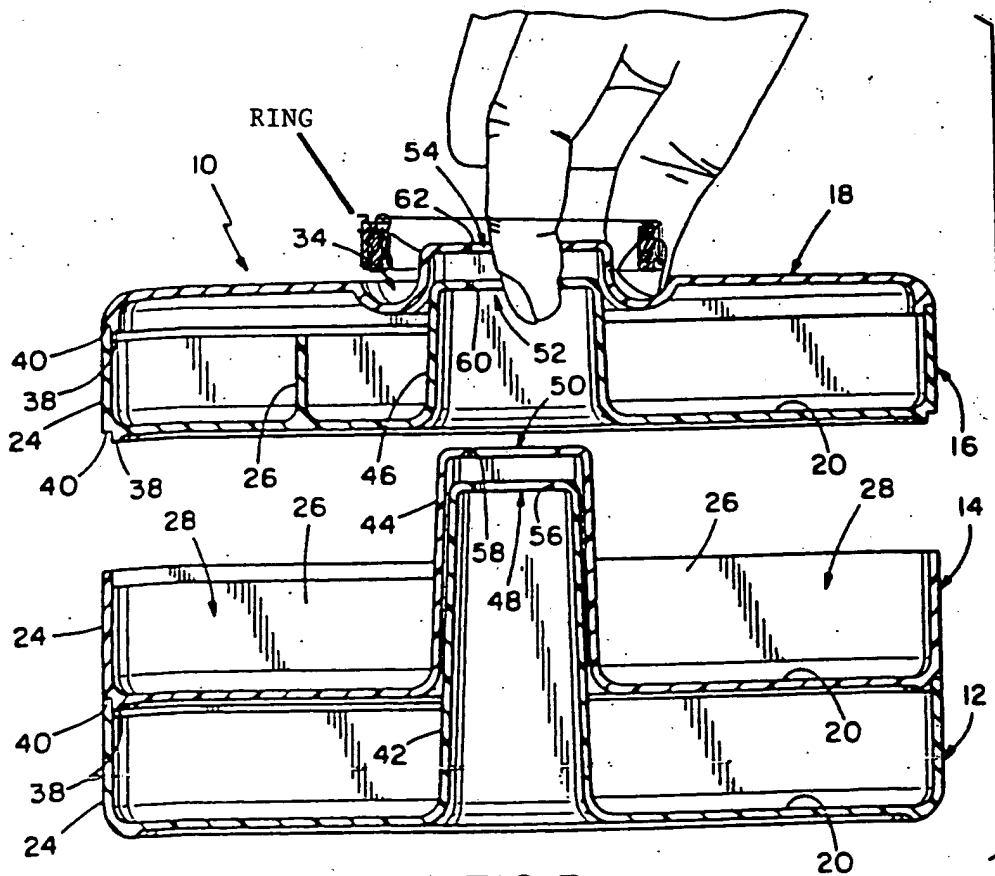


FIG. 5

